

IN THE DRAWINGS:

Replace the drawings in the original disclosure with the Replacement Sheet drawings as attached.

REMARKS

Claims 5 to 24 are in this application and are presented for reconsideration. By this Amendment, Applicant has canceled Claims 1 to 4 and added new claims 5 to 24 and made various minor changes to the specification and claims to improve the clarity and style of this application and to address issues raised in the Office Action.

Applicant thanks the Examiner for the careful reading of the application, and for providing suggestions. Applicant has added new claims 5 to 24 which are based on the canceled claims 1 to 4 and is also based on the specification to properly clarify the subject matter which defines over the prior art. The new claims do not add any new matter to the application.

By this Amendment, the Applicant has amended the specification and added several claims to overcome the Examiner's rejections and respectfully makes assertions for overcoming the rejections of the outstanding Office Action dated March 30, 2005 in the following paragraphs.

Drawings

Figures 1 and 2 have been objected to because a legend -Prior Art- is not placed for those which is old.

In response, Applicant hereby attaches a set of Replacement Sheets which has proper legend.

In addition, the drawings have been objected for not showing the "transverse plane" as

recited in claim 1, line 3.

In response, Applicant hereby attaches a Replacement Sheet of Figure 3 which includes the "transverse plane".

Specification

The Office Action objected to the disclosure for failing to include section headings.

In response, Applicant has added section headings by this Amendment.

In addition, the disclosure has been objected to because "ff" on page 3, line 25 is not clear.

In response, Applicant notes that the "ff" means "following". Applicant directs the Examiner's attention to the Oxford Dictionary of English Language, where "ff" is indicated as an abbreviation for "following", such as for example, "following pages".

Claim Objections

The claims have been objected to for failing to comply with 37 CFR 1.75(I) because the claims are not separated by line indentation.

In response, Applicant has amended claims and made sure that each claim is separated by line indentation from other claims.

Claim Rejections - 35 USC §112

Claims 1 to 4 have been rejected as being indefinite for failing to particularly point out

and distinctly claim the subject matter which Applicant regards as the invention. Specifically, the Office Action states that "on the ends of two forks, comprising a divider" is unclear and there is insufficient antecedent basis for "the wall of the corresponding one of the two parts" in line 9 of claim 1.

In response, Applicant has cancelled claims 1 to 4 and added new claims while paying close attention to the claim rejections to avoid the phrases pointed out by the Office Action in the new claims.

Rejection under 35 U.S.C. §102

Claims 1 to 4 have been rejected under 35 U.S.C. §102(b) as being anticipated by the U.S. Patent No. 5,419,740 to Koyari et al. (The "Koyari '740" reference, hereinafter).

The Koyari '740 reference discloses a constant velocity joint including a pair of flange yokes each having an annular flange portions to define a radially inwardly open annular groove there between; a pair of pin yoke each having a connection end portion, a spherical end portion and a pair of arm portions connecting the connection end portion and the spherical end portion, a pair of cross pieces each pivotally connecting the pair of arm portions of the yoke in a manner of universal joint and a centering disk, bearing a socket portion for receiving the spherical end portions of the pair of pin yokes and slidably received in said annular groove at an outer peripheral portion thereof, where the socket portion of the centering disk is eccentrically shifted from a diametrical center of the centering disk so that the centering disk is held from random rotation relative to the flange yokes.

However, the Koyari '740 reference does not anticipate nor does it suggest the divider as disclosed by the present invention. Basically, an argument that the the Koyari '740 reference anticipates the present invention is not supported by the Koyari '740 disclosure. Specifically, a clearer understanding of the embodiment in Fig.19 and 20 can be obtained by reading the specification of the Koyari '740 reference, from Col.11, line 32, to Col. 12, line 31. The reference to the embodiment of Fig.17 of the Koyari '740 reference should also be made for a clearer understanding.

As will be apparent from the specification as contained in the Koyari '740 reference, member 176B or 176 is not a divider, since it does not divide a cavity into two seats. Rather, the member 176 (see Fig.20 of the Koyari '740 reference) is a wedged-shaped insert, which is arranged radially between the centering disc 54 and the outer periphery of the yokes 42, and 44.

A plurality of the members 176 are arranged radially around the axis of the disc 54. Each member is resiliently biased in a radially inwardly direction such that the inclined wedge surfaces thereof push the two portions of the centering disc 54 towards the sliding surfaces 92. The wedge members 176 therefore do not define two separate sliding seats and they move along with the centering disc 54. Thus they belong to the member formed by the disc 54 and move therewith.

Conversely, the present invention provides for a divider 150, which actually forms a pair of sliding surfaces, each surface being arranged in one of the two sliding seats 124 for the two constraint members 120.

The new claims 5 and 19 have been re-drafted and now includes *inter alia* a clearer definition of the divider as being discoidal. Claim 5 clearly patentably distinguishes over the Koyari '740 reference, since the prior art reference of the Koyati '740 reference fails to anticipate and suggest the idea of dividing the sliding seat into two sliding housings by means of a divider.

Newly added claims 7, 8 and 9 give a more detailed definition of advantageous structural features of the divider 150. Applicant further notes the Koyari '740 reference does not provide any suggestion or motivation which would lead a person of ordinary skill in the art to believe that a divider as disclosed by the present invention would be useful. Instead, the Koyari '740 reference leads a person of ordinary skill in the art to undivided seats, completely different from the present invention as claimed.

Furthermore, Applicant finds no incentive in the Koyari '740 reference which would lead a person to all the structural features of the divider and the seat in claim 5. Therefore, claim 5 can not be obvious or anticipated by the Koyari '740 reference. As the prior art as a whole fails to direct the person of ordinary skill in the art toward the claimed combination, the invention should be considered not anticipated, non-obvious and thus patentable.

Therefore, Applicant finds that the Koyari '740 reference does not anticipate the current invention and there is no suggestion or motivation to use the teachings of the references to provide the combination as claimed.

As the prior art fails to suggest the combination of features as claimed, Applicant respectfully requests that the Examiner favorably consider the new claims as now presented

in view of the discussion above. Applicant respectfully solicits allowance of this application.

It is applicant's position that all claims are now allowable. Should the Examiner determine that issues remain that have not been resolved by this response, the Examiner is requested to contact Applicant's representative at the number listed below.

Favorable action is requested.

Respectfully submitted
for Applicant,

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APPLICANT NOTES THAT AN EXTENSION OF TIME FOR ONE (1) MONTH IS DUE AND REQUESTS THAT THE FEE BE CHARGED TO OUR DEPOSIT ACCOUNT 13-0410. SHOULD ANY OTHER FEE BE REQUIRED, THE PATENT AND TRADEMARK OFFICE IS HEREBY REQUESTED TO CHARGE SUCH FEE TO OUR DEPOSIT ACCOUNT 13-0410.